

U.S. Department of Justice

MEMO ENDORSED

United States Attorney  
Southern District of New York

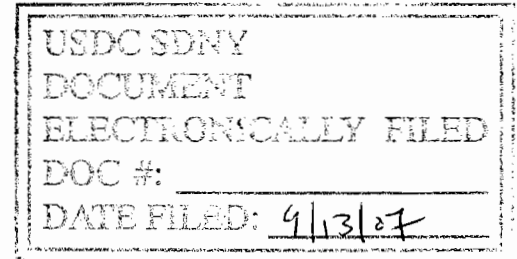
The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007

September 12, 2007

BY HAND

MEMO ENDORSED

The Honorable Deborah A. Batts  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, NY 10007



Re: United States v. Francisco Ovalle  
07 Cr. 350 (DAB)

Dear Judge Batts:

I write to confirm the adjournment of the pre-trial conference until November 5, 2007 at 10:30 a.m.

The Government also requests that the Court exclude time until November 5, 2007. The Government submits that such exclusion is warranted pursuant to 18 U.S.C. § 8161(h)(8)(A). Specifically, the ends of justice outweigh the best interest of the public and the defendant in a speedy trial because it affords the defendant and the Government time to consider the evidence produced and to discuss a potential disposition in the case and it ensures the effective assistance of defendant's counsel. David Gordon, counsel for the defendant, told me that he consents to the exclusion of time.

GRANTED  
/PAB/

Very truly yours,

MICHAEL J. GARCIA  
United States Attorney

MEMO ENDORSED

SO ORDERED  
*Deborah A. Batts*

DEBORAH A. BATTS  
UNITED STATES DISTRICT JUDGE

By: *William J. Harrington*  
William J. Harrington  
Assistant United States Attorney  
212-637-2331

cc: David Gordon  
Counsel for the defendant  
(By fax: 212 772 8033)

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